

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JASON BISHOP,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>No.: 15-cv-6069</b>
	:	
<b>UPPER DARBY POLICE DEPT., et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 24th day of May, 2018, upon consideration of Defendants' Motion for Partial Dismissal of Plaintiff's Second Amended Complaint (Doc. No. 48), Plaintiff's Response in Opposition thereto (Doc. No. 50), the Court having heard oral argument on the outstanding issues, and for the reasons set forth in the memorandum filed concurrently with this Order, **IT IS HEREBY ORDERED** that:

(1) Defendants' Motion for Partial Dismissal of Plaintiff's Second Amended Complaint is **GRANTED IN PART** and **DENIED IN PART**.

(2) The Motion to Dismiss is **GRANTED** as to: (a) the claims against the Upper Darby Police Department, Upper Darby Board of Supervisors, and Upper Darby Police Superintendent Michael Chitwood; (b) the official capacity claims against Upper Darby Police Officers Dockery, Garay, Gieder, and Donahue; (c) all claims asserted under the Fifth and Fourteenth Amendments to the United States Constitution and all claims asserted under 42 U.S.C. Section 1985; (d) the federal malicious prosecution claim (Count V) of the Second Amended Complaint; and (e) the conspiracy claims (Count X) of the Second Amended Complaint.

(3) The Motion to Dismiss is **DENIED** in all other respects.

**BY THE COURT:**

/s/ Lynne A. Sitarski  
LYNNE A. SITARSKI  
United States Magistrate Judge